

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL BUDGET HEARING MEETING
HELD ON WEDNESDAY, MAY 22, 2019 AT 1:30 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Tonita Gurulé-Girón

COUNCILORS: David G. Romero
Barbara A. Casey
Vincent Howell
David A. Ulibarri, Jr.

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Danielle Sena, Recorder
Esther Garduno Montoya, City Attorney
David T. Bibb III, Chief of Police

CALL TO ORDER

Mayor Pro Tem Vincent Howell called the meeting to order at 1:31 PM, and Mayor Tonita Gurulé-Girón arrived at 1:36 PM.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri, Jr. asked for a moment of silence for our residents who have passed away, Vidal Crespín and Leroy “Carro” Armijo who was a basketball player, baseball player and teacher and to keep their families in mind and to pray for them.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as presented. Councilor Ulibarri, Jr., seconded the motion. Mayor Pro Tem Howell asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Vincent Howell	Yes	Barbara Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

PRESENTATION/DISCUSSION ITEMS

1. Discussion of water billing issues and detailed explanation of procedures from meter reading to actual billing is being reviewed and audited regularly for accuracy.

Utilities Director Maria Gilvarry and Customer Service Manager Jodi Marquez presented on the process for billing, which starts with meter reading to how they address customers concerns.

Utilities Director Gilvarry advised they will go over collecting data, the quality assurance processes they have for the billing data, reporting on the billing data and how they address customers concerns.

Utilities Director Gilvarry advised the first step in the billing process is the consumption clerk who has numerous responsibilities such as loading routes and initiating the process of collecting data for four cycles. Utilities Director Gilvarry advised all four cycles are meter read, every meter is read every week, to keep up to date information.

Utilities Director advised particular cycles for a certain week begins the process for billing, which then allows for up to date information for leak reasons or customer concerns.

Councilor Ulibarri, Jr., asked if the readings went into a system.

Utilities Director Gilvarry advised the data is uploaded to the Tyler system and retained.

Discussion took place regarding the amount and types of meters read every week and the areas that the City covers such as Las Vegas, Watrous, Wagon Mound and Montezuma.

Utilities Director advised the automated meter reading process includes the collections personnel, such as a field customer service supervisor and customer service representative II and III.

Discussion took place regarding the type of devices that are used to collect data on a weekly basis.

Utilities Director Gilvarry advised the data that is collected is exported onto a flash drive and then provided to the consumption clerk to upload the data into the computer system to store, evaluate and assess the data.

Discussion and questions took place regarding what can cause a misread and since no data is received the customer would not be charged since they aren't sure how much water was used.

Utilities Director advised when misreads occur, a visual read is done to the meters and data is then taken to the consumption clerk to combine with data previously collected.

Discussion took place regarding if data does not coincide from all devices then another reread is done to figure out why the data is not coinciding and less than one percent of meters need to be reread.

Utilities Director Gilvarry discussed the process of uploading the data into the system, reporting data and non-billable data.

Discussion took place regarding the difference between normal and abnormal water consumption and the process to notify a customer.

Utilities Director Gilvarry discussed the process of bill development, the billing packet process done by the customer service manager and the reviewing of the

billing done by four different staff members at least five different times for each account.

Discussion took place regarding how long it takes for the bill to be sent out to customers and what the four staff members do to review the billing.

Utilities Director Gilvarry discussed the leak detection process and the different types of graphs that show either a toilet leaking or a water line break.

Discussion and questions took place regarding the process if there was a major water leak or major consumption increase situation, the life span for meters and the City ordinance that states, "if a customer has a concern about the meter, the City can have it sent out to test at the expense of the customer, where if the device is found to be inaccurate then the City will cover the cost but if there is no issue with the meter then the customer will cover the cost of the test."

Utilities Director Gilvarry discussed the procedure for home audit work orders, adjustment requests, shut off notices and the collection of outstanding balances from previous owners/renters.

Brief discussion took place regarding waste water charges being calculated by a winter quarter average.

Councilor Howell requested the information be placed inside customers bills so they are aware of procedures.

Councilor Romero thanked Utilities Director Gilvarry for her presentation and also thanked Mayor Gurulé-Girón for allowing the presentation to be on the agenda and advised it answered a lot of his questions.

Councilor Romero requested having the presentation placed separately on the website so customers can refer back to it.

Mayor Gurulé-Girón advised to post the powerpoint presentation on the website so customers can view the slides.

Utilities Director Gilvarry advised she will post it in PDF form, on the Utilities Facebook page, will give it to I.T. to post on the website and will look at bulleted advertisement on the back of the billing.

2. Presentation by Interim City Manager and Interim Finance Director on Preliminary Fiscal Year 2020 Budget.

Interim Finance Director Tana Vega gave a presentation over general information on the proposed 2020 Preliminary Budget.

Discussion and questions took place regarding increases to the budget due to associated costs from increased health insurance, PERA and the minimum wage requirement. Interim Finance Director Vega responded to the following questions which were previously emailed to her by Councilor Casey.

Interim Finance Director Vega advised the City Clerk's department budget increased for election costs.

Interim Finance Director Vega advised the Police department budget increased due to associated costs from the FOP contract.

Interim Finance Director Vega advised the Fire department budget increased due to the minimum wage requirement.

Interim Finance Director Vega advised the Municipal Airport budget increased due to anticipated maintenance issues.

Interim Finance Director Vega advised the Library budget increased due to adding an additional full-time staff member.

Interim Finance Director Vegas advised General Services increased due to insurance deductibles and changing of phone providers.

Interim Finance Director Vega advised the reserve was a reflection of total expenditures for the General fund and are required to reserve one twelfth of total expenditures.

Councilor Casey advised she appreciated Interim Finance Director Vega for answering her questions that she emailed her.

Interim Finance Director Vega presented on behalf of the Executive department's budget starting with the Governing Body and Mayor's departments separately being budgeted for benefits.

Discussion and questions took place regarding why two employees were listed in multiple departments and an explanation about grants or additional funding used for certain employees salary and when budget adjustments need to be done.

Interim Finance Director Vega presented on behalf of the City Attorney's budget which decreased from last year.

Discussion and questions took place regarding the City Attorney's salary which was budgeted to include the paralegal and administrative aide's salary.

Interim Finance Director Vega presented on behalf of the Human Resources department's budget which mirrored last year's budget but had an increase in contractual services for pre-employment drug testing.

Interim Finance Director Vega presented on behalf of the Finance department's budget which increased due to the use of paper and data supplies.

Interim Community Development Director Virginia Marrujo presented on the Community Development and Code Enforcement department's budget which decreased due to vacancies within the department.

Discussion and questions took place regarding cross training and hiring within the department.

Interim Community Development Director Marrujo presented on the Lodger's Tax budget which had a slight increase and advised the board agreed to have a rolling budget like the previous year.

Discussion and questions took place regarding actuals for the current year, the meaning of a rolling budget, non-profit funding and the Lodger's tax board having input for the budget.

Interim Finance Director Vega advised why there were substantial increases to the Police department's budget.

Police Chief David T. Bibb III and Finance Specialist Marla Martinez presented on behalf of the Police department's budget which increased mainly due to full time employees, medical expenses, insurance deductibles and utilities.

Discussion and questions took place regarding the increase for utilities, two vehicles that were budgeted for patrol, grants for the new fiscal year and vacancies within the department.

Fire Chief Billy Montoya thanked the Governing Body for their assistance with helping accomplish a Deputy Fire Chief/Inspector position and the replacement of two aging fire trucks.

Fire Chief Billy Montoya presented on behalf of the Fire department's budget which they agreed on a flat budget, the Fire museum project and help with moving forward on a pay plan.

Discussion and questions took place regarding negotiations, if there was money set aside for a pay plan, a plan for a fire training center and vacancies within the department.

Brief discussion took place regarding the annual State Fire Grant, EMS fund and Fire prevention fund.

Public Works Interim Directors Daniel Gurule and Chris Rodarte presented on behalf of the Public Facilities, Streets and Airport department budgets which would be a flat budget with increases to vehicles, GPS for vehicles, and two grants that carried over.

Discussion and questions took place regarding full time employees, vacancies within the department, the sweeper, the PAPI and storage for the snow removal equipment at the airport and also an airfield rehab for the airport.

Brief discussion took place regarding potholes, equipment to help with potholes, possibly getting full roads construction through different grants, the zipper equipment and vacancies within the department.

Discussion and questions took place regarding payments towards loans.

Senior Center Manager Wanda Salazar presented on behalf of the Senior Center departments budget, all federal would stay consistent, home delivery program would be increased for the federal, an increase to all units for all programs to better reflect what they are serving, tai chi program, increase to salaries due to minimum wage, and the rate of reimbursement per program would increase.

Senior Center Manager Salazar advised there was an increase to the San Miguel Senior Center, which will be open full time effective July 1st.

Discussion and questions took place regarding working with Comedor De San Pascual to provide food, if the seniors were enjoying the pool tables and a bingo machine.

Recreation Manager Sonia Gomez presented on behalf of the Recreation Center's and advised they had a good turn out with memberships and programs offered by the recreation center, and the budget stayed flat.

Discussion and questions took place regarding treadmill equipment, the use of the concession stand, how much longer for construction to replace the roof and the contract regarding the construction being done.

Housing Finance Specialist Natasha Padilla presented on behalf of the Housing department's budget which stayed flat but the subsidy and dwelling rent was increased.

Discussion and questions took place regarding separating employee expenditures between administrative and maintenance, utilities was also separated per HUD, the telephone system increase and site improvements.

Utilities Director Maria Gilvarry advised all budget did have an increase due to full time employee salary increases, health insurance and PERA.

Utilities Director Gilvarry presented on behalf of the Utilities Administrative's budget which had increases due to moving employees around but the budget stayed the same and are planning for the move to the old State Police building this fiscal year.

Utilities Director Gilvarry presented on behalf of the Utilities Service's budget which stayed consistent with increases due to full time employee salary increases, health insurance and PERA.

Discussion and questions took place regarding vacancies within the Utilities Admin., and Services department.

Utilities Director Gilvarry presented on behalf of the Waste Water department's budget which increased for contracted management services for Souder Miller and advised the vacancies within the department.

Discussion and questions took place regarding vacancies being budgeted within the departments, how long they project using Souder Miller and what happens if they get someone for the position that Souder Miller is currently filing and the hourly rate for a level IV operator.

Utilities Director Gilvarry presented on behalf of the Gas department's budget which was budgeted the same as last year but budgeted revenues for less and the vacancies within the department.

Utilities Director Gilvarry presented on behalf of the Solid Waste department's budget which increased for tipping fees and a correction was made under recycling which will make expenditures the same as last year and vacancies within the department.

Discussion and questions took place regarding a recycling program, and what is being done with the money from vacancies.

Utilities Director Gilvarry presented on behalf of the Water department's budget which is divided between water distribution and water treatment budget, water projects and vacancies within the department.

Discussion and questions took place regarding why positions have not been filled, the process of applying for a position and vacancies within the HR department.

Utilities Director Gilvarry advised in the 646 fund revenues were reduced due to not having as much funding as last year, Bradner Dam and Cabin Site Tank projects were completed and are finishing up smaller projects.

Discussion took place regarding upcoming projects for the fiscal year, leak detection, the Water Treatment Plant security system, an emergency response plan and water line repairs.

Discussion and questions took place regarding the amount of divisions Utilities Director Gilvarry had and the decrease in property taxes in the general fund.

Discussion took place regarding the closing of the golf course and how the City can be a part of the solution.

Mayor Gurulé-Girón stated, "I was very disappointed with President Minner, he came to the City and made a proposal that the City should help them."

Mayor Gurulé-Girón stated, "I asked him on three or four occasions to set up a meeting with me and Ann Marie and he hasn't, during a meeting I had at Highlands I ran into both President Minner and Max Baca and I again confronted President Minner."

Mayor Gurulé-Girón advised she wanted it on the record so President Minner knows that she is calling him out.

Mayor Gurulé-Girón stated, "If he is going to come to the City and call us out on helping him with funding then he also needs to be called out on being unresponsive to his own needs."

Mayor Gurulé-Girón advised she ran into President Minner again and said, "President Minner when are you going to set up a meeting and he said, I'll be calling."

Mayor Gurulé-Girón advised Max Baca was bold enough to make a statement saying what they need from the City is free water.

Mayor Gurulé-Girón stated, "That's a tall order considering that every constituent in the City is paying for their water and you're asking for free water and I said I don't know that we can do that."

Mayor Gurulé-Girón stated, "I told President Minner I would like to set up a meeting with you and again he stated, I'll be calling, so the ball is in his court."

Discussion took place regarding participation at the golf course and setting up a meeting with President Minner to discuss the golf course.

Interim City Manager Gallegos advised they would be submitting the preliminary budget by May 31st and then bring the final budget back to council with recommendations made by Mayor and Council in July for approval.

PUBLIC INPUT

John Spencer spoke about hazard mitigation and forest renewal and advised hearing good news about 10,000 being in the budget for the tree board. Mr. Spencer advised a big advantage is that they have proof that the City is helping which will make a huge difference. Mr. Spencer advised he was pleased to see it happen and are proud of Mayor and Council. Mr. Spencer advised three important things are to protect the citizens of the City, preserve the legacy of trees and the future of the City.

Mayor Gurulé-Girón thanked Interim City Manager Gallegos and Interim Finance Director Vega for getting that money in.

Emilio Aragon spoke about submitting a letter to the City Attorney entitled appropriated monies from proceeds of sale of citizen property. Mr. Aragon advised the City of Las Vegas was complicit in appropriating the proceeds from the sale of his property at 1022 Douglas Avenue in 2014. Mr. Aragon advised the previous administration, City Council and Utilities department did collude by their lack of due diligence and due process and a little malfeasance, and took \$19,781.50 from the proceeds of those sales. Mr. Aragon advised additionally said entities violated city ordinance in its own waiver of landlord's responsibility. Mr. Aragon advised that said entities violated the Las Vegas, New Mexico city ordinance which states, "a lien shall be filed after six months of delinquency," but he was billed for tenant arrears from 1984 with no prior notice to him.

Mr. Aragon advised the Utilities department refuses to provide the ledger account of the monies received from the City of illegal appropriations or the proceeds of sale from his rental properties. Mr. Aragon advised the Utilities department transferred the money owed by previous tenants onto his current account at 200 Washington Street and continue to send him two bills under the same account number, one bill is for \$524 and the other for \$648. Mr. Aragon advised the City was billing tenants five months after they appropriated his money.

Mr. Aragon stated, "I hereby request the monies appropriated be returned to me the undersigned, please include \$6,000 for attorney fees plus \$3,000 in costs incurred and penalty and interest added to the \$19,781.50." Mr. Aragon advised Attorney Dave Romero stone walled his attorney's repeated efforts to acquire public records, accounting records, City copy of waiver of landlord responsibility and copy of the City ordinance. Mr. Aragon advised, said stone walling cost him extra money and by mutual agreement him and his first attorney parted ways.

Mayor Gurulé-Girón advised she would look into it.

EXECUTIVE SESSION

City Attorney Esther Garduno Montoya advised there was need for executive session pertaining to pending litigation regarding Dave Romero.

Councilor Casey made a motion to convene into executive session for the purpose of discussing matters subject to the attorney client privilege pertaining to threatened or pending litigation regarding former City Attorney Dave Romero in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A Ulibarri, Jr.	Yes	Vincent Howell	Yes
David G. Romero	Yes	Barbara Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

Councilor Casey made a motion to reconvene into Regular session after being in Executive session to discuss matters subject to the attorney client privilege pertaining to threatened or pending litigation regarding former City Attorney Dave Romero in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Barbara Casey	Yes	Vincent Howell	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

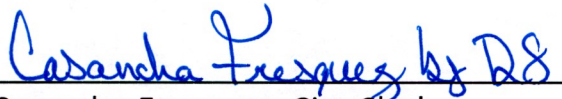
David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
David G. Romero	Yes	Barbara Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.



Mayor Tonita Gurulé-Girón

ATTEST:



Casandra Fresquez, City Clerk